The Swine Waste Infrastructure and Natural Environment (SWINE) Act – H.R. 2722
Representative David Price (NC-04)

The Challenge

Hog farms play a vital role in our nation's food supply and economy, but swine waste can pose risks to public health and the environment. On most farms across the country, hog waste is stored in open-air pits called "lagoons" and sprayed as fertilizer onto nearby fields. While this method is cost-effective for producers, it can also result in noxious odors that negatively affect surrounding communities. Runoff or seepage from the lagoons can also contaminate local water systems with nitrate, phosphorus, and ammonia, which have been linked to cancer, reproductive complications, and other diseases.

These risks are exacerbated during severe weather events such as Hurricane Floyd (1999), during which several "lagoons" in North Carolina ruptured and overflowed their barriers, flooding nearby waterways and communities with untreated hog waste. In the aftermath of the storm, the State of North Carolina entered into in an agreement with leading hog producers to fund an ambitious research initiative designed to produce an environmentally superior technology (EST) to manage hog waste. Along with other public and private research efforts around the country, this initiative has resulted in promising technologies that can dramatically reduce the environmental impact of hog waste, produce energy or other value-added byproducts, and improve animal health and living conditions. To date, however, these ESTs have not been widely adopted, partially because of economic barriers.

With severe weather events becoming more frequent, the risks posed by current waste management practices are national in scope, and the federal government has a stake in mitigating them. Bringing these technologies to scale will require additional research and development as well as new incentives for producers to install them. Instead of waiting for the next catastrophe, we should be encouraging innovative technologies that are cleaner and safer, improve animal health, and create new revenue streams for producers.

The Solution

The SWINE Act (H.R. 2722 in the 115th Congress) seeks to replace the current lagoon-and-spray-field systems used on hog farms with environmentally superior technologies, without placing an undue financial or regulatory burden on individual hog farmers. Specifically, the legislation would:

- Require the U.S. Department of Agriculture (USDA), in consultation with public and private stakeholders, to establish national criteria for ESTs that take into account both their reduced environmental impact and their economic feasibility;
- Establish a competitive grant program (the Swine Waste Management Research and Extension Initiative) at USDA to fund research and development of ESTs, guided by a public-private task force that includes representatives from industry, academia, and the environmental community;
- Clarify that EST research is eligible for funding from the existing pork "check-off" program;
- Make the installation of ESTs eligible for USDA's Environmental Quality Incentives Program (EQIP) funding;
- Establish two new tax credits to incentivize producers to adopt certified ESTs: one credit for their installation (20% of installation costs over five years), and one credit for disposing swine waste using a certified EST ($100 per 1,000 pounds of waste per year, with no time limit); and
- Prohibit states from issuing permits for combined animal feeding operations (CAFOs) unless they adopt ESTs (due to federal CAFO regulations, this currently applies to only a very small percentage of hog farms) once a cost-efficient EST has been certified by the USDA.

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